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ACTION EAP-00

INFO LOG-00 AMAD-00 ACQ-00 CIAE-00 DINT-00 DODE-00 DS-00
FBIE-00 TEDE-00 INR-00 IO-00 LAB-01 MOFM-05 MOF-03
NSAE-00 OIC-02 DSCC-00 DRL-02 SAS-00 /013W
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FM AMEMBASSY HANOI
TO SECSTATE WASHDC PRIORITY 3853
INFO USMISSION USUN NEW YORK PRIORITY
AMEMBASSY PHNOM PENH

C O N F I D E N T I A L HANOI 002175

SIPDIS

E.O. 12958: DECL: 09/05/11

TAGS: [PINS](#) [US](#) [VM](#) [OPREL](#) [HUMANR](#)

SUBJECT: QFOREIGN MINISTRY OBJECTS TO VIETNAM HUMAN RIGHTS ACT AND US POSTAL SERVICE ACTION

1. (U) CLASSIFIED BY CHARGE DQAFFAIRES ROBERT C.
PORTER, JR. REASON: 1.5(D).

2. (C) THE DIRECTOR OF THE AMERICAS DEPARTMENT AT THE
FOREIGN MINISTRY, MR. NGUYEN XUAN PHONG, CALLED IN THE
CHARGE ON SEPTEMBER 5 TO REAFFIRM THE GVN'S POSITION
ON "CERTAIN ISSUES WHICH RECENTLY HAVE NEGATIVELY
AFFECTED" BILATERAL RELATIONS: HR 2368 (THE VIETNAM
HUMAN RIGHTS ACT) AND THE RECENT ACTION OF THE U.S.
POSTAL SERVICE TO WITHDRAW FROM CIRCULATION A BROCHURE
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WHICH INCLUDED THE CURRENT VIETNAMESE FLAG (AMONG THE
FLAGS OF MANY OTHER NATIONS).

VIETNAM HUMAN RIGHTS ACT (HR 2368)

3. (C) PHONG STATED THAT THE GVN BELIEVES THAT HR
2368 REPRESENTS THE ATTEMPT OF A "SMALL GROUP WHICH
LACKS GOOD WILL" TO INTERFERE IN VIETNAM'S INTERNAL
AFFAIRS -- AN ATTEMPT WHICH RUNS COUNTER TO THE TREND
TO IMPROVE BILATERAL RELATIONS, SUCH AS NEGOTIATION
AND PASSAGE OF THE BTA. HE FURTHER STATED THAT SOME
ALSO PERCEIVE THE RESOLUTION AS AN ATTEMPT BY CERTAIN
GROUPS IN THE U.S. TO OVERTURN OR DESTROY THE CURRENT
SYSTEM IN VIETNAM, AN APPROACH HE LABELED "PEACEFUL
DESTRUCTION" RATHER THAN PEACEFUL EVOLUTION. HE
OBSERVED THAT THE USG ONCE USED PROGRESS ON THE
POW/MIA ISSUE AS A WAY TO REGULATE THE PACE OF
IMPROVEMENTS IN THE BILATERAL RELATIONSHIP AND THAT
SOME IN VIETNAM BELIEVE THAT THE USG IS NOW USING
"OTHER ISSUES" FOR THE SAME PURPOSE. HE CALLED ON THE
USG TO URGE CONGRESS TO DEFEAT THE RESOLUTION.

POSTAL SERVICE BROCHURE

4. (C) PHONG THEN RAISED THE NOW OUT-OF-CIRCULATION
US POSTAL SERVICE BROCHURE TO WHICH SOME VIETNAMESE
AMERICANS OBJECTED BECAUSE IT CONTAINED AN IMAGE OF
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THE FLAG OF THE SOCIALIST REPUBLIC OF VIETNAM.
ACCORDING TO PHONG, THE GVN RAISED THE ISSUE DIRECTLY
WITH THE US POSTAL SERVICE, WHICH INDICATED THAT IT
HAD WITHDRAWN THE BROCHURE FROM CIRCULATION AND WHICH
ALSO REPORTEDLY APOLOGIZED TO VIETNAM FOR DOING SO.
PHONG TOLD THE CHARGE THAT THE WITHDRAWAL WAS AN
INSULT TO VIETNAM AND ITS FLAG, AND OBSERVED THAT IF A
US AGENCY GAVE IN TO PRESSURE FROM SUCH A "SMALL
GROUP" IN THIS CASE, IT WOULD INEVITABLY DO SO AGAIN
IN THE FUTURE. HE URGED THE DEPARTMENT TO WORK WITH
THE US POSTAL SERVICE TO SHOW PROPER RESPECT FOR THE
VIETNAMESE FLAG JUST AS IT WOULD SHOW RESPECT FOR THE
FLAG OF ANY OTHER SOVEREIGN NATION, ESPECIALLY ONE
WITH WHICH THE U.S. HAS FRIENDLY RELATIONS.

5. (U) PHONG HANDED CHARGE A NON-PAPER ON THE ABOVE
TWO ISSUES. (COPY FAXED TO EAP/BCLTV.)

16. (C) AT THE CONCLUSION OF HIS PRESENTATION, PHONG ALSO RENEWED EARLIER GVN REQUESTS FOR THE USG TO ARREST THOSE IN THE U.S. WHO ARE WORKING FOR THE VIOLENT OVERTHROW OF THE GVN OR WHO ARE PLANNING AND CARRYING OUT TERRORIST OPERATIONS AGAINST VIETNAMESE EMBASSIES ABROAD. HE ASKED THAT THE USG, IN THE SPIRIT OF COOPERATION, PROVIDE THE GVN WITH ANY INFORMATION IT MAY HAVE ON PLANS TO CONDUCT TERRORIST OPERATIONS AGAINST GVN EMBASSIES AND FACILITIES.

17. (C) IN RESPONSE, CHARGE PROMISED TO PASS ON GVN CONCERNS TO THE DEPARTMENT. HE BRIEFED PHONG ON THE STATUS OF THE BTA, AND REMINDED PHONG, WHO RECENTLY
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RETURNED FROM SAN FRANCISCO AS CONSUL-GENERAL, THAT CONGRESS WAS AN INDEPENDENT BRANCH NOT UNDER THE CONTROL OF THE STATE DEPARTMENT OR THE EXECUTIVE BRANCH. HE EMPHASIZED TO PHONG THAT MEMBERS OF CONGRESS REPRESENTED THE INTERESTS OF THEIR CONSTITUENTS AND THAT BOTH THE CONGRESS AND USG BELIEVED THAT VIETNAM NEEDED TO DO MORE TO RESPECT HUMAN RIGHTS. PORTER

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